



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/751,227

01/02/2004

Frank Lu

14153 B

1110

36672

7590

04/04/2006

CHARLES E. BAXLEY, ESQ.

90 JOHN STREET

THIRD FLOOR

NEW YORK, NY 10038

EXAMINER

JONES, DAVID B

ART UNIT

PAPER NUMBER

3725

DATE MAILED: 04/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/751,227

Applicant(s)

LU, FRANK

Examiner

David B. Jones

Art Unit

3725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) none is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

1. The disclosure is objected to because of the following informalities: On page 6, line 12; "the firs and the driven pieces" appears to be missing verbiage. It should read, "the first and the second driven pieces". Appropriate correction is required.
2. Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims as whole appear to be a product of translation from a foreign document and as such contain many limitations that are unclear and render the claims indefinite. Some of the problems will be treated below but all the claims should be reviewed and amended into proper claim form. In claim 1, line 3, "for placement of terminal chain" is unclear and indefinite. On line 5 of claim 1, "moving longitudinally on the base body" is unclear in orientation. On line 8 of claim 1, "fixed in the base body" is unclear in structure. On line 11 of claim 1, it appears that "pieces" should be changed to - -piece- -. On line 13 of claim 1, "an elastic force" is unclear and fails to clearly set forth structure to accomplish the "force". On line 16, "employed" is an unclear and indefinite recitation. On line 18, the limitation, "above-mentioned arrangements" is an indefinite and unclear recitation. On line 21 of claim 1, the limitation, "such that auto-feeder is able to push" is awkward and indefinite. In claim 2, "can be movably provided" is indefinite and fails to clearly set forth applicant's invention. Further the scope of claim 2 is unclear. It is not clear what makes for the elastic block and how it enables terminals to be conveyed smoothly. In claim 3, line 3;

Art Unit: 3725

"grooves" should be changed to - -groove- -. In claim 5, "the notch" lacks antecedent basis in claim 1.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Bulanda et al. Bulanda teaches the claimed invention including a base 21 with a fixing block (not numbered but located on the left of Figure 3) housing an elastic means 47 and an adjusting screw 48. Further Bulanda teaches a 1st driven piece 46 and a second driven piece 49, and a pushing block 45 being located on the end of the second driven piece 49. Finally Bulanda teaches a protrusive block with an elastic block at 76-78.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Bair '719.

Bair teaches the claimed invention including a base 12/22 with a fixing block 28; an elastic means 68 and an adjusting screw 152. Further Bair teaches a 1st driven piece 36 and a second driven piece 38, and a pushing block 170 being located on the end of the second driven piece 38. Regarding claim 4, Bair teaches a coupling portion 136 and a notch 150 for receiving the pushing block 170.

Art Unit: 3725

5. Claims 3 and 5 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

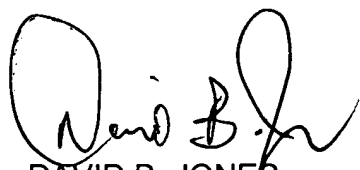
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David B. JONES whose telephone number is (571) 272-4518.

Any inquiry of a general nature or relating to the status of this application should be directed to telephone number is (571) 272-3700.

In the event that the Applicant(s) wishes to communicate via Fax, the current central Fax number for the patent office is (571) 273-8300

DBJ


DAVID B. JONES
PRIMARY PATENT EXAMINER
ART UNIT 3725